

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re PARMALAT SECURITIES LITIGATION

This document relates to: ALL CASES

MASTER DOCKET
04 MD 1653 (LAK)

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DR. BONDI'S JOINDER IN MOTIONS TO CONFIRM THAT ALL FACT

DEPOSITIONS ARE OVER

We respectfully join the requests by the Joint Liquidators and class counsel that the Court make clear that fact discovery is closed. As set forth in their motions, unless the Court intervenes, Bank of America will depose Mr. Nagel on July 19, and will depose Mr. Petrucci during the same period.

Apart from the clear language of the Court's scheduling orders, on February 26, 2007, the Bank wrote the Court that, except for specific listed witnesses (not including either Nagel or Petrucci), "no other fact or 30(b)(6) depositions should occur after March 5, 2007 absent agreement among the parties." See Exhibit A. The plaintiffs have not agreed to these depositions and have had to forego depositions of several Bank witnesses because of the discovery cut-off date set by the Court. The Bank's claim that the Nagel and Petrucci depositions should proceed because the Hague Convention procedures for their depositions were instituted prior to the cut-off is irrelevant. All the Hague Convention procedures for depositions, including the ones that Dr. Bondi has had to forego, were instituted before the cut-off.

We therefore respectfully join in the requests that the Court order these
depositions be cancelled.

New York, New York
June 6, 2007

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